## House File 54 - Introduced

HOUSE FILE 54
BY HEARTSILL

## A BILL FOR

- 1 An Act requiring wireless communications service providers
- 2 to provide call locations in circumstances of emergency,
- 3 making penalties applicable, and including effective date
- 4 provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. NEW SECTION. 34A.16 Request for call location.
- A wireless communications service provider shall
- 3 provide call location information concerning a device to a
- 4 law enforcement agency or officer upon a request for that
- 5 information if the law enforcement agency determines the
- 6 information is needed in an emergency situation that involves
- 7 the risk of death or serious physical harm.
- Notwithstanding any provision of law to the contrary,
- 9 nothing in this section prohibits a wireless communications
- 10 service provider from establishing protocols by which the
- ll provider could voluntarily disclose call location information
- 12 to a law enforcement agency or officer upon a request for that
- 13 information.
- 14 3. A claim or cause of action may not be brought against
- 15 any wireless communications service provider or employee for
- 16 providing call location information while acting in good faith
- 17 and in accordance with the provisions of this section.
- 18 4. a. Wireless communications service providers authorized
- 19 to do business in the state of Iowa, or submitting to
- 20 the jurisdiction of Iowa, and all resellers of wireless
- 21 communications services authorized to do business in the
- 22 state shall submit contact information to the department of
- 23 public safety, division of criminal investigation, in order to
- 24 facilitate requests from law enforcement agencies pursuant to
- 25 this section. Wireless communications service providers and
- 26 resellers of wireless communications services shall submit this
- 27 contact information annually by June 15 or immediately upon any
- 28 change in contact information.
- 29 b. The division of criminal investigation shall maintain
- 30 a database containing emergency contact information for all
- 31 wireless communications service providers and all resellers of
- 32 wireless communications services authorized to do business in
- 33 the state and shall make the information immediately available
- 34 upon request to all public safety answering points in the
- 35 state.

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- 1 5. A person filing a false report with law enforcement that
- 2 results in a request for call location information under this
- 3 section may be subject to criminal penalty pursuant to section
- 4 718.6.
- 5 Sec. 2. RULES. The division of criminal investigation
- 6 shall, by December 31, 2015, adopt rules to implement and
- 7 administer this Act.
- 8 Sec. 3. EFFECTIVE DATE. The section of this Act enacting
- 9 section 34A.16 takes effect January 1, 2016.
- 10 EXPLANATION
- 11 The inclusion of this explanation does not constitute agreement with
- 12 the explanation's substance by the members of the general assembly.
- 13 This bill enacts new Code section 34A.16 requiring wireless
- 14 communications service providers to provide call location
- 15 information concerning a device upon the request of a law
- 16 enforcement agency or officer. The agency or officer may
- 17 request the call location information for emergency situations
- 18 involving the risk of death or serious harm. The bill states
- 19 that a claim or cause of action may not be brought against
- 20 wireless communications service providers or employees when
- 21 acting in good faith in accordance with the bill. The bill
- 22 also requires wireless communications service providers and
- 23 resellers to provide contact information to the division of
- 24 criminal investigation of the department of public safety. The
- 25 bill provides that the division of criminal investigation is
- 26 required to maintain a database containing this information
- 27 and the information is to be made immediately available upon
- 28 request to all public safety answering points in the state.
- 29 New Code section 34A.16 takes effect January 1, 2016.